

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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| IN RE DIET DRUGS (PHENTERMINE/FENFLURAMINE/ DEXFENFLURAMINE) PRODUCTS LIABILITY LITIGATION |) | MDL No. 1203 |
| SHEILA BROWN, <i>et al.</i> v. AMERICAN HOME PRODUCTS CORPORATION |) | CIVIL ACTION No. 99-20593 |
| This document relates to: | |) |
| LINDA HARMON, <i>et al.</i> v. WYETH- AYERST PHARMACEUTICALS, INC., <i>et al.</i> ; |) | MDL Case No. 02-20082 |
| DUWANDA ROBBINS, <i>et al.</i> v. WYETH- AYERST PHARMACEUTICALS, INC., <i>et al.</i> ; |) | MDL Case No. 02-20081 |
| JANICE BINION, <i>et al.</i> v. WYETH- AYERST PHARMACEUTICALS, INC., <i>et al.</i> ; |) | MDL Case No. 02-20119 |
| LILLIAN CHANDLER, <i>et al.</i> v. WYETH- AYERST PHARMACEUTICALS, INC., <i>et al.</i> ; |) | MDL Case No. 02-20120 |
| PATRICIA MOSLEY, <i>et al.</i> v. WYETH- AYERST PHARMACEUTICALS, INC., <i>et al.</i> ; |) | MDL Case No. 02-20122 |
| MARY F. SANDERS, <i>et al.</i> v. WYETH- AYERST PHARMACEUTICALS, INC., <i>et al.</i> ; |) | MDL Case No. 02-20121 |
| - and - | | |
| BRENDA STALLINGS, <i>et al.</i> v. WYETH- AYERST PHARMACEUTICALS, INC., <i>et al.</i> |) | MDL Case No. 02-20118 |

PRETRIAL ORDER NO. _____

AND NOW, this _____ day of _____, 2003, it is hereby, ORDERED,
ADJUDGED and DECREED, pursuant to Federal Rule of Civil Procedure 41(a)(2), that
the claims of the following plaintiffs: William Peyton Smith, Stephanie Owens, Debbie
Turney-Miller, Lori Harris, Gail Lynn Hudson Douglas, Keith Hachtel, Tracy Adams,
Frances P. McClure, Lizette Purnell, Beverly J. Fleming, Anne S. Ellis, Garry Joe
Girdley, Beverly Toliver, Jerry Smith, Dorothy Owens, Crystal Franks, Francelia
Williams, Windia Jones, Barbara Chalmers, Diane Thompson, Valenta Allen-Williams,
Charles Stewart, Debra Hill, Doris McSwine, Philip Cohen, Debbie Girdley, Stephen
Breimer, Lasonrya Thomas, Marcia Woods, Therial Taylor, Sharon Holland-Sims, Traci
Johnson, Kay Cunningham, Peggy Butler, Sandra Beaver, Harry Beaver, Amanda
Beaver, Ellouise Evans, Jo Ann Mathes, Patricia Harwell, John Pate, Senatra Irby,
Jacqueline Mister, Edsell Williford, Ramona Johnson, Karen Washington-Hackman,
Marsha Wright, Valerie Givens-Rowan, Sharon Ballinger, Harriet Stewart, Tammy
Henderson, Richard Eifling, Melissa Milano, Lisa Gross, Elayna Cooper, Donna Morgan,
Bruce McMillan, Johnie Brown, Jacalyn Jones, and Teretha Williams are hereby
dismissed without prejudice as against all defendants for failure to assert jurisdiction in
Mississippi, with each party to bear its own costs and counsel fees.

APPROVED AND SO ORDERED:

Harvey S. Bartle, III, U.S.D.J.

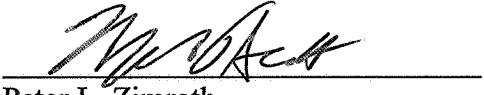
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| - and - | | |
| BRENDA STALLINGS, <i>et al.</i> v. WYETH- AYERST PHARMACEUTICALS, INC., <i>et al.</i> |) | MDL Case No. 02-20118 |

**WYETH'S CROSS-MOTION TO DISMISS THE CLAIMS OF THE NON-
MISSISSIPPI RESIDENTS**

For the reasons set forth in Wyeth's Memorandum in Support of Its Cross-Motion to Dismiss the Non-Mississippi Residents, defendant Wyeth respectfully moves this Court for an order in the form of the Proposed Order attached hereto.

Respectfully submitted,



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Dated: December 5, 2003

CERTIFICATE OF SERVICE

The undersigned hereby certifies that true and correct copies of the Memorandum of Authorities in Support of the Response of Wyeth to Plaintiffs' Motion to Remand, Appendix of Exhibits (Vol. I-II), and Wyeth's Cross-Motion to Dismiss the Claims of the Non-Mississippi Residents in the *Linda Harmon, Duwanda Robbins, Janice Binion, Lillian Chandler, Patricia Mosley, Mary Sanders, and Brenda Stallings* actions were served this 5th day of December 2003 by UPS Overnight Delivery upon counsel for plaintiffs in the foregoing actions addressed as follows:

Brian A. Clark, Esquire
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and by U.S. first-class mail, postage prepaid, upon all other counsel of record in the foregoing actions and all counsel required to be served by Pretrial Order No. 19.



Michael T. Scott

Date: December 5, 2003